

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1339

Introduced by Assembly Member Santiago

February 27, 2015

An act to amend Section 45277.5 of the Education Code, relating to school district employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 1339, as amended, Santiago. School district employees: merit system: appointments.

Existing law, until December 31, 2015, in a school district with a pupil population over 400,000, authorizes an appointment to specified classifications of ~~positions~~ *positions, including, among others, information technology solution technician*, to be made from other than the first 3 ranks on the eligibility list if one or more of specified criteria are required for successful job performance of the position to be filled, in which case the appointment ~~would be~~ *is* required to be made from among the highest 3 ranks of eligible ~~applicants~~ *candidates* on the list who meet the special requirements and are ready and willing to accept the position. Existing law requires a school district that makes an appointment under this provision to study the effectiveness of the selection method, the vacancy rates for each class, and the length of time to hire for each class, and to submit a report of its findings to any affected labor union.

This bill would extend the operation of these ~~provisions~~ *provisions, except for the information technology solution technician classification provision*, until December 31, 2020.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 45277.5 of the Education Code is
2 amended to read:
3 45277.5. Notwithstanding Section 45277, in a school district
4 with a pupil population over 400,000, the following shall apply:
5 (a) An appointment may be made from other than the first three
6 ranks of eligible applicants on the eligibility list if one or more of
7 the following are required for successful job performance of a
8 position to be filled:
9 (1) The ability to speak, read, or write a language in addition
10 to English.
11 (2) A valid driver's license.
12 (3) Specialized licenses, certifications, knowledge, or ability,
13 as determined by the personnel commission of the school district,
14 that cannot reasonably be acquired during the probationary period.
15 (4) A specific gender, if it is a bona fide occupational
16 qualification.
17 (b) The recruitment bulletin announcing the examination shall
18 indicate the special requirements that may be necessary for filling
19 one or more of the positions in the classification. If a position is
20 to be filled using the authority of this section, the appointment
21 shall be made from among the highest three ranks of eligible
22 candidates on the appropriate eligibility list who meet the special
23 requirements of the position and who are ready and willing to
24 accept the position.
25 (c) If there are insufficient applicants who meet the special
26 requirements, an employee who meets the special requirements
27 may receive provisional appointments that may accumulate to a
28 total of 90 working days. Successive provisional appointments of
29 90 working days or less each may be made in the absence of an
30 appropriate eligibility list containing applicants who meet the
31 special requirements if the personnel commission of the school
32 district finds that the requirements of subdivisions (a) and (b) of
33 Section 45288 have been met. These appointments may continue
34 for the period of the provisional appointment, but shall not be

1 additionally extended if certification can later be made from an
2 appropriate eligibility list.

3 (d) This section applies only to the following classifications:

4 (1) Principal financial analyst.

5 (2) Principal administrative analyst.

6 (3) Senior administrative analyst.

7 (4) Senior administrative assistant.

8 (5) Senior financial analyst.

9 (6) Information technology electronic communications
10 technician.

11 ~~(7) Information technology solution technician.~~

12 ~~(8)~~

13 (7) Senior human resource specialist.

14 ~~(9)~~

15 (8) Any classifications that have been designated as management
16 or confidential.

17 (e) A school district that makes an appointment pursuant to this
18 section shall study the effectiveness of the selection method, the
19 vacancy rates for each class, and the length of time to hire for each
20 class, and submit a report on its findings to any affected labor
21 union.

22 (f) This section shall remain in effect only until December 31,
23 2020, and as of that date is repealed, unless a later enacted statute,
24 that is enacted before December 31, 2020, deletes or extends that
25 date.